

TRADE AND INVESTMENT

**Agreement Between the
UNITED STATES OF AMERICA
and SINGAPORE**

Signed at Singapore October 11, 1991

with

Annex



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

SINGAPORE

Trade and Investment

*Agreement signed at Singapore October 11, 1991,
with annex;
Entered into force October 11, 1991.*

**AGREEMENT BETWEEN THE GOVERNMENT OF
THE REPUBLIC OF SINGAPORE AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
CONCERNING A FRAMEWORK OF PRINCIPLES
AND PROCEDURES FOR CONSULTATIONS
REGARDING TRADE AND INVESTMENT RELATIONS**

The Government of the Republic of Singapore and the Government of the United States of America (individually a "Party" and collectively the "Parties"):

- 1 Desiring to enhance the friendship and spirit of cooperation between both countries;
- 2 Desiring to develop further both countries' international trade and economic interrelationship;
- 3 Taking into account the participation of both countries in the General Agreement on Tariffs and Trade (GATT), and noting that this Agreement is without prejudice to the rights and obligations of the Parties under the General Agreement, together with its agreements, understandings and other instruments;
- 4 Taking into account their commitment to the successful completion and implementation of the Uruguay Round of Multilateral Trade Negotiations;
- 5 Recognising the importance of promoting a more liberal and predictable environment for international trade and investment;
- 6 Recognising the benefits to each Party resulting from increased international trade and investment and that protectionism would deprive the Parties of such benefits;

- 7 Recognising the essential role of private investment, both domestic and foreign, in furthering growth, creating jobs, expanding trade, improving technology, and enhancing economic development;
- 8 Recognising that foreign direct investment confers positive benefits on each Party;
- 9 Recognising the increased importance of services in their economies and in international trade;
- 10 Taking into account the need to eliminate non-tariff barriers in order to facilitate greater access to the markets of both countries;
- 11 Recognising the importance of providing adequate and effective protection and enforcement of intellectual property rights, and taking account of their commitments undertaken and to be undertaken in the GATT, and in intellectual property rights conventions;
- 12 Noting the common objective of both countries to improve workers' welfare and provide for better terms and conditions of employment;
- 13 Recognising the desirability of resolving trade and investment problems as expeditiously as possible;
- 14 Considering that it would be in their mutual interest to establish a bilateral mechanism between the Parties for encouraging the liberalisation of trade and investment between them, as well as for consulting on bilateral trade and investment issues;

To this end, the Parties agree as follows:

ARTICLE 1

The Parties shall establish a Singapore-United States Council on Trade and Investment (the "Council").

ARTICLE 2

The Council shall be composed of representatives of both Parties. The Singapore side will be chaired by the Ministry of Trade and Industry (MTI); and the United States of America's side will be chaired by the Office of the United States Trade Representative (USTR). MTI and USTR may be assisted by officials of other governmental entities as circumstances require.

ARTICLE 3

The Council will meet at such times as agreed by the two Parties, including, where necessary, meetings at the Cabinet or subcabinet level.

ARTICLE 4

The Parties may seek the advice of the private sector in their respective countries on matters related to the work of the Council. Private sector representatives may be asked to participate in Council meetings whenever both Parties agree that it is appropriate.

ARTICLE 5

The objectives of the Council are as follows:

- 1 To monitor trade and investment relations and to identify opportunities for expanding trade and investment.
- 2 To hold consultations on specific trade and investment matters of interest to the Parties and to negotiate agreements where appropriate.
- 3 To identify and work toward the removal of impediments to trade and investment flows.

ARTICLE 6

- 1 Either Party may raise for consultation any trade or investment matter between the Parties. Requests for consultation shall be accompanied by a written explanation of the subject to be discussed and consultations shall be held within 30 days of the request, unless the requesting Party agrees to a later date. Each Party shall endeavour to provide adequate notification and an opportunity for consultations before taking actions that would affect adversely the trade or investment interests of the other Party.
- 2 Consultations shall take place initially in the country whose measure or practice is the subject of discussion.
- 3 This Article shall be without prejudice to the rights of either Party under domestic law, the GATT, its codes, or under any other instruments to which both countries are Parties.

- 4 In the event that consultations involve a dispute concerning a trade or investment measure or practice, every effort shall be made to resolve the dispute at the working level. At any time, either Party may request that the issue be reviewed at a higher level.

- 5 If resolution is not reached within 30 days following the first meeting, either Party may refer the dispute to any applicable dispute resolution procedures under the General Agreement, its codes or other instruments to which both are Parties. If a measure is referred to the GATT, consultations under this Agreement shall be considered to have constituted consultations under Article XXIII:1 of the GATT or any preliminary bilateral consultations required as part of any GATT code dispute settlement procedures.

ARTICLE 7

- 1 The Council will commence its work by considering those subjects included in the "Immediate Action Agenda" attached as an Annex to this Agreement.

- 2 The Council may establish joint working groups to facilitate the work of the Council.

ARTICLE 8

This Agreement shall enter into force on the date of its signature by both Parties.

ARTICLE 9

- 1 This Agreement shall remain in force unless terminated by mutual consent of the Parties or by either Party upon six months written notice to the other Party.

- 2 In the event that the Parties decide by mutual consent to amend this Agreement, such amendments may be done by an exchange of letters.
- 3 The Parties agree to prepare a mutually acceptable record of any agreements reached between them concerning any specific trade or investment issues.

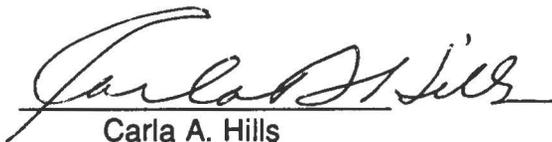
IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

Done in English in duplicate at Singapore this eleventh day of October, 1991.



Lee Hsien Loong

For the Government of the
Republic of Singapore



Carla A. Hills

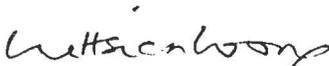
For the Government of the
United States of America

IMMEDIATE ACTION AGENDA

In relation to the Agreement Between the Government of the Republic of Singapore and the Government of the United States of America Concerning a Framework of Principles and Procedures for Consultations Regarding Trade and Investment Relations, Singapore and the United States confirm the following:

- 1 They are prepared to commence the work of the Council within 120 days of the signing of the above mentioned Agreement with an "Immediate Action Agenda" composed of the following topics:
 - Anti-dumping and Countervailing Duty Issues
 - Market Access Issues
 - Services Issues
 - Intellectual Property Rights Issues

- 2 The inclusion of topics on this "Immediate Action Agenda" does not limit the ability of either Party to raise for consultations under Article 6 of the Agreement any other issue relating to trade or investment which might arise in the near term and requires immediate bilateral consultations, nor prejudice the raising of new issues in the future.



Lee Hsien Loong

For the Government of the
Republic of Singapore



Carla A. Hills

For the Government of the
United States of America